THE HONOURABLE SRI JUSTICE V.ESWARAIAH

WRIT PETITION NO :4137 of 2007

DATED: 22-03-2007

BETWEEN:

Karam Jagadamba & another.

..... PETITIONERS

AND

The Special Deputy Collector,
Tribal Welfare,
K.R.Puram,
Buttaigudem Mandal,
West Godavari District & 5 others.

.....RESPONDENTS

ORDER:

Heard the learned counsel appearing for the petitioners as well as the learned Government Pleader for Social Welfare appearing for the respondents.

2. Petitioners seek a writ of mandamus declaring the action of the respondents 1 to 3 in not conducting enquiry against the respondents 4 to 6 with regard to their illegal possession of the land in R.S.No.58/4 and making attempts to obstruct the agricultural operations of the petitioners in their possession of the land to an extent of Ac.11.43 cents in Sy.No.59/1, 2, 4 situated at Jeelugumilli village, as illegal and arbitrary.

3. It is the case of the petitioners that the 1st petitioner is the absolute owner of an extent of Ac.2.74 cents in R.S.No.59/4; Ac.3.83 cents in Sy.No.59/1; and the 2nd petitioner is the owner of Ac.4.86 cents in R.S.No.59/2 situated at Jeelugumilli village. It is stated that, in fact, the 3rd respondent-Mandal Revenue Officer, Jeelugumilli, granted pattas to the petitioners since they belong to the Scheduled Tribe community and cultivating the said lands. While so, the unofficial respondents 4 to 6 who are having lands adjacent to the petitioners' lands were making attempts to trespass into the lands of the petitioners and therefore, the petitioners have submitted a representation, dated 03-02-2007,

before the 1st respondent-Special deputy Collector, Tribal Welfare, and the 3rd respondent-Mandal Revenue Officer, Jeelugumilli mandal for taking necessary action, but the same has not been considered and disposed of so far.

4. Learned Government Pleader appearing for the respondents submits that the said representation may be directed to be considered.

5. Having regard to the facts and circumstances of the case, the Writ Petition is disposed of directing the 1st respondent to consider and dispose of the said representation, dated 03-02-2007, in accordance with law after giving reasonable opportunity to all the concerned within six weeks from the date of receipt of a copy of this order. No order as to costs.

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V.ESWARAIAH, J

22nd March, 2007
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